

§ 2004.8

15 CFR Ch. XX (1–1–05 Edition)

§ 2004.8 Time limits.

(a) An initial response under § 2004.6 shall be made within 10 days (excepting Saturdays, Sundays, and legal public holidays) after the receipt of a request for a record under this part by the Freedom of Information Officer or his designee. An appeal under § 2004.7 shall be decided within 20 days (excepting Saturdays, Sundays and legal public holidays) after the receipt of such an appeal by the Appeals Committee.

(b) The time limits for initial decision and for an appeal decision begins on the date the request or appeal is actually received by STR. If requests or appeals not properly marked “Freedom of Information Request” or “Freedom of Information Act Appeal” on the request or appeal are inadvertently delayed in reaching the Freedom of Information Officer or the Appeals Committee they will not be deemed received by STR until actually received by the Freedom of Information Officer or Appeals Committee. In such event, the person making the request or appeal will be furnished a notice of the effective date of receipt.

(c) In unusual circumstances as specified in this paragraph, the Freedom of Information Officer or his designee may extend the time limits in paragraph (a) of this section by written notice to the person requesting a record under this part, which notice shall set forth the reasons for such extension and the date on which a determination or appeal decision is expected to be dispatched. No such notice shall specify a date which would result in an extension of either the initial determination period, or the appeal period, or both, for more than 10 working days. As used in this paragraph “unusual circumstances” means, but only to the extent reasonably necessary to the proper processing of the particular request:

(1) The need to search for and collect the requested records from overseas posts or other establishments that are separate from the office processing the request;

(2) The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records which are demanded in a single request; or

(3) The need for consultations, which shall be conducted with all practicable speed, with another agency having a substantial interest in the determination of the request, or among two or more components of the agency having substantial subject matter interest therein.

(d) Where the responsible official believes that further consideration of a request may result in the release of additional records or portions thereof, the expiration of the time period allocated by the Freedom of Information Officer or his designee does not require the termination of that consideration, and it should be continued with a view to maximum disclosure of requested records within a reasonable period of time.

§ 2004.9 Fees schedule.

(a) Fees schedule for the search and reproduction of information available under the Freedom of Information Act (5 U.S.C. 552), as amended:

(1) *Search for records.* Five dollars per hour when the search is conducted by a clerical employee. Eight dollars per hour when the search is conducted by a professional employee. No charge for searches of less than one hour.

(2) *Duplication of records.* Records will be duplicated at a rate of \$.15 per page for all copying of 4 pages or more.

(3) *Other.* When no specific fee has been established for a service, or the request for a service does not fall under one of the above categories due to the amount or type thereof, the Freedom of Information Act Officer is authorized to establish an appropriate fee based on “direct costs” as provided in the Freedom of Information Act. Examples of services covered by this provision include searches involving computer time or special travel, transportation, or communications costs.

(b) Search costs are due and payable even if the record which was requested cannot be located after all reasonable efforts have been made, or if the Freedom of Information Officer or his designee or the Freedom of Information Appeals Committee determines that a record which has been requested, but which is exempt from disclosure under the Act, is to be withheld. Processing